

REMARKS

Claims 1-12 and 14-36 are pending in this application. All of the pending claims are rejected. Claims 1-12, 24 and 31 are currently amended. Reconsideration is respectfully requested.

Claims 1-12 and 14-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,681,232 (Sistanizadeh) in view of US 6,728,484 (Ghani). The Examiner cites Sistanizadeh at column 7, lines 40-47 as describing a user application requiring communication services. However, the cited passage actually refers to the Service Level Manager (SLM 100) application server. Consequently, the applications are not user applications that require network services, but rather the server applications which monitor and control network services. Applicant notes that the Examiner cites the description of the same SLM (100) at column 5, lines 34-55 as being analogous with the recited “optical service agent for providing bandwidth management services for the user application.” Clearly, the SLM can not reasonably be interpreted as performing both the user application and optical service agent (OSA) functions. The significance of the distinction between the OSA and the user application is emphasized by the new claim limitations which recite that application-specific services are provided by the OSA in response to signaling from the application. As described in the specification with reference to Figure 6, the OSA (610) provides application-specific services.¹ Further, with reference to Figure 6 and 7, the OSA (610) includes an application programming interface (API) with various primitives for allowing a user application to access user-controllable and user-customizable features to prompt the OSA to provide the application-specific services.² In contrast, Sistanizadeh teaches that traffic requirements are defined and handled on the basis of traffic class.³ Similarly, Ghani provides

¹ page 13, line 20

² page 14, lines 21-27; page 15 lines 2-3

³ column 6, lines 10-14

“channel (lightpath) provisioning for higher layer networking protocol clients such as IP, ATM, Frame Relay, and SONET/SDH.”⁴ Consequently, the cited combination fails to suggest provisioning application-specific services in response to signaling from the application as recited in currently amended claims 1, 12, 24 and 31. The dependent claims further define the invention, and are allowable for the same reasons as their respective base claims. Withdrawal of the rejections of claims 1-12 and 14-36 is therefore requested.

Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned, Applicants' Attorney at 978-264-4001 so that such issues may be resolved as expeditiously as possible. For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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Date

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⁴ column 7, lines 52-55